

IN THE UNITED STATES DISTRICT COURT
FOR THE EASTERN DISTRICT OF NORTH CAROLINA
WESTERN DIVISION
No. 5:10-HC-2162-D

ODELL EWING,

Petitioner,

v.

STATE OF NORTH CAROLINA,

Respondent.

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ORDER

On July 21, 2010, Odell Ewing (“petitioner” or “Ewing”), a state inmate, filed a petition for a writ of habeas corpus pursuant to 28 U.S.C. § 2254 [D.E. 1, 3]. On May 24, 2011, the court reviewing Ewing’s application for habeas-corpus relief and dismissed it without prejudice for failure to exhaust state court remedies [D.E. 6]. On May 31, 2011, Ewing filed a motion for reconsideration [D.E. 8]. On July 27, 2011, Ewing filed a motion to withdraw his motion for reconsideration “so [he] will be able to refile” his petition [D.E. 9].

For the reasons stated in petitioner’s motion to withdraw, the court GRANTS the motion to withdraw [D.E. 9] and DENIES petitioner’s motion for reconsideration [D.E. 8].

SO ORDERED. This 2 day of August 2011.


JAMES C. DEVER III
United States District Judge